

The Honorable J. Richard Creatura

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NINTENDO OF AMERICA INC.,

Plaintiff,

vs.

LE HOANG MINH, d/b/a WINMART

Defendant.

NO. 2:20-cv-01707-JRC

**PLAINTIFF'S REQUEST TO THE
CLERK FOR ENTRY OF DEFAULT**

NOTE ON MOTION CALENDAR:

February 18, 2021

Under Federal Rule of Civil Procedure 55(a) and Local Rule of Civil Procedure 55(a), Plaintiff Nintendo of America Inc. requests the Clerk to enter default against Defendant Le Hoang Minh, d/b/a Winmart.

Nintendo filed its complaint on November 18, 2020. Dkt. 1. A day later, the Clerk issued a summons to Defendant. Dkt. 8. On January 5, 2021, the Court granted Nintendo leave to serve the summons and complaint by email. Dkt. 12. Nintendo served Defendant with the summons and the complaint by email, as authorized by the Court, on January 7, 2021. Dkt. 13 (Nintendo's declaration of service). Also, while not required by the Court's order authorizing email service, Nintendo has additionally attempted service by registered mail with a return receipt at Defendant's physical address in Vietnam. *See* Dkt. 10 at 7 & n.2.

Defendant's deadline to serve an answer or other responsive pleading—21 days from service of the summons and complaint—elapsed on January 28, 2021. *See* Fed R. Civ. P. 12(a)(1)(A)(i). Defendant has failed to serve an answer or other responsive pleading. Defendant has not filed any motion with this Court for an extension of time, and the undersigned counsel

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1 represents to the Court that Defendant has not contacted Nintendo or its counsel to request an
2 extension of time or otherwise. Thus, Nintendo requests that the Clerk enter default against
3 Defendant. *See* Fed. R. Civ. P. 55(a); LCR 55(a).

4 DATED February 18, 2021

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